

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION-BAY CITY

IN THE MATTER OF:

Sherry M. Braxton

Debtor

CHAPTER 13
CASE NO: 21-20299-dob
Honorable Daniel S. Opperman

DEBTOR'S OBJECTION TO PROOF OF CLAIM NO. 12 FILED BY
MICHIGAN DEPARTMENT OF TREASURY

NOW COMES the debtor(s) by and through counsel, Marrs & Terry, PLLC, and states as follows:

1. Debtor filed this Chapter 13 case on March 16, 2021.
2. Creditor filed proof of claim No. 12 on July 15, 2021 for \$5634.44 of which \$5322.80 is asserted as priority debt. The claim indicates that the 2016 and 2020 returns have not been assessed.
3. The Debtor has provided copies of said returns to counsel and the trustee and has filed the originals with the State of Michigan. The 2016 return indicates a refund owing to the Debtor and the 2020 return indicates an obligation of \$195.00.
4. The State of Michigan has failed to amend their claim.
5. As no obligation is owing for the 16 return, the claim should be allowed for a total of the 2018 and 2020 obligations of \$590.30 with \$517.80 being a priority claim.

WHEREFORE, the Debtor asks that this Honorable Court allow Claim 12 in the amount of \$590.30 with \$517.80 being a priority claim.

Dated: November 3, 2021

/s/ Tricia S. Terry
Tricia S. Terry (P59522)
Marrs & Terry, PLLC
6553 Jackson Rd.
Ann Arbor, MI 48103
(734) 663-0555
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**UNITED STATES BANKRUPTCY COURT
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**ORDER GRANTING DEBTORS' OBJECTION TO PROOF OF CLAIM NO. 12
FILED BY MICHIGAN DEPARTMENT OF TREASURY**

This matter having come before the Court by way of objection of the Chapter 13 Debtor(s) to the allowance of above-referenced claim and service having been made with a notice of hearing allowing a thirty (30) day notice period pursuant to F.R.Bankr.P. 3007, the requisite time having passed without a response having been timely served and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that Claim 12 is allowed in the amount of \$590.30 with \$517.80 being a priority claim.

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NOTICE OF OBJECTION TO CLAIM

The Chapter 13 debtor(s) has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or denied. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before, December 9, 2021, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at:

U.S. Bankruptcy Court
111 W. First Street
Bay City MI 48708

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Marrs & Terry, PLLC
6553 Jackson Rd.
Ann Arbor, Michigan 48103

Chapter 13 Trustee
Thomas McDonald
3144 Davenport Ave
Saginaw MI 48602

2. Attend the hearing on the objection, scheduled to be held on December 16, 2021 at 10:00 a.m. in the Courtroom at 111 W. First Street, Bay City MI 48708, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you, or your attorney, do not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event, the hearing will be cancelled, and the objection sustained.

Dated: November 3, 2021

/s/ Tricia S. Terry
Tricia S. Terry (P59522)
Marrs & Terry, PLLC
6553 Jackson Rd
Ann Arbor, MI 48103
(734) 663-0555
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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed
**DEBTOR'S OBJECTION TO PROOF OF CLAIM NO. 12 FILED BY MICHIGAN
DEPARTMENT OF TREASURY** and **NOTICE OF OBJECTION TO CLAIM**
with the Clerk of the Court using the ECF system which will send notification of such
filing to registered ECF participants and I hereby certify that I have mailed by United
States Postal Service the above mentioned documents to the following non-ECF
participants:

Michigan Department of Treasury
Bankruptcy Unit
PO Box 30168
Lansing MI 48909

Katherine C. Kerwin
Assistant Attorney General
Cadillac Place Ste. 10-200
3030 W. Grand Blvd
Detroit MI 48202

Dated: November 3, 2021

/s/ Tricia S. Terry
Tricia S. Terry P59522
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6553 Jackson Rd
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